

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,  
ex rel. Jon J. Platz,

Relator,

v.

BANK OF AMERICA CORPORATION,

Defendant.

1:12-cv-8399-GBD

**ORAL ARGUMENT REQUESTED**

**NOTICE OF DEFENDANT'S MOTION TO DISMISS**

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 8(a), 9(b), 12(b)(1), and 12(b)(6), and based upon the accompanying memorandum of law, Defendant Bank of America Corporation hereby moves this Court, the Honorable George B. Daniels, United States District Judge for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, for an order dismissing all claims in the Second Amended Complaint with prejudice.

Dated: March 10, 2015

Respectfully submitted,

/s/ Jonathan G. Cedarbaum

Jonathan G. Cedarbaum (*admitted pro hac vice*)

Charles C. Speth (*admitted pro hac vice*)

Nikhel S. Sus (*admitted pro hac vice*)

WILMER CUTLER PICKERING HALE AND  
DORR LLP

1875 Pennsylvania Avenue NW

Washington, DC 20006

*Counsel for Defendant Bank of America  
Corporation*

**CERTIFICATE OF SERVICE**

I, Jonathan G. Cedarbaum, hereby certify that on March 10, 2015, true and correct copies of the foregoing Notice of Defendant's Motion to Dismiss; Memorandum in Support of Defendant's Motion to Dismiss; and Declaration of Charles C. Speth in Support of Defendant's Motion to Dismiss were served via ECF upon all the parties, and via first-class mail upon the United States.

/s/ Jonathan G. Cedarbaum